

## **§ 183.43**

### **§ 183.43 Application.**

An application for an ODA may be submitted after November 14, 2006. An application for an ODA must be submitted in a form and manner prescribed by the Administrator and must include the following:

- (a) A description of the functions for which authorization is requested.
- (b) A description of how the applicant satisfies the requirements of § 183.47 of this part;
- (c) A description of the applicant's organizational structure, including a description of the proposed ODA Unit as it relates to the applicant's organizational structure; and
- (d) A proposed procedures manual as described in § 183.53 of this part.

### **§ 183.45 Issuance of Organization Designation Authorizations.**

- (a) The Administrator may issue an ODA Letter of Designation if:
  - (1) The applicant meets the applicable requirements of this subpart; and
  - (2) A need exists for a delegation of the function.
- (b) An ODA Holder must apply to and obtain approval from the Administrator for any proposed changes to the functions or limitations described in the ODA Holder's authorization.

### **§ 183.47 Qualifications.**

To qualify for consideration as an ODA, the applicant must—

- (a) Have sufficient facilities, resources, and personnel, to perform the functions for which authorization is requested;
- (b) Have sufficient experience with FAA requirements, processes, and procedures to perform the functions for which authorization is requested; and
- (c) Have sufficient, relevant experience to perform the functions for which authorization is requested.

### **§ 183.49 Authorized functions.**

- (a) Consistent with an ODA Holder's qualifications, the Administrator may delegate any function determined appropriate under 49 U.S.C. 44702(d).
- (b) Under the general supervision of the Administrator, an ODA Unit may perform only those functions, and is subject to the limitations, listed in the ODA Holder's procedures manual.

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### **§ 183.51 ODA Unit personnel.**

Each ODA Holder must have within its ODA Unit—

- (a) At least one qualified ODA administrator; and either
- (b) A staff consisting of the engineering, flight test, inspection, or maintenance personnel needed to perform the functions authorized. Staff members must have the experience and expertise to find compliance, determine conformity, determine airworthiness, issue certificates or issue approvals; or
- (c) A staff consisting of operations personnel who have the experience and expertise to find compliance with the regulations governing the issuance of pilot, crew member, or operating certificates, authorizations, or endorsements as needed to perform the functions authorized.

### **§ 183.53 Procedures manual.**

No ODA Letter of Designation may be issued before the Administrator approves an applicant's procedures manual. The approved manual must:

- (a) Be available to each member of the ODA Unit;
- (b) Include a description of those changes to the manual or procedures that may be made by the ODA Holder. All other changes to the manual or procedures must be approved by the Administrator before they are implemented.
- (c) Contain the following:
  - (1) The authorized functions and limitations, including the products, certificates, and ratings;
  - (2) The procedures for performing the authorized functions;
  - (3) Description of the ODA Holder's and the ODA Unit's organizational structure and responsibilities;
  - (4) A description of the facilities at which the authorized functions are performed;
  - (5) A process and a procedure for periodic audit by the ODA Holder of the ODA Unit and its procedures;
  - (6) The procedures outlining actions required based on audit results, including documentation of all corrective actions;
  - (7) The procedures for communicating with the appropriate FAA offices regarding administration of the delegation authorization;

(8) The procedures for acquiring and maintaining regulatory guidance material associated with each authorized function;

(9) The training requirements for ODA Unit personnel;

(10) For authorized functions, the procedures and requirements related to maintaining and submitting records;

(11) A description of each ODA Unit position, and the knowledge and experience required for each position;

(12) The procedures for appointing ODA Unit members and the means of documenting Unit membership, as required under § 183.61(a)(4) of this part;

(13) The procedures for performing the activities required by § 183.63 or § 183.65 of this part;

(14) The procedures for revising the manual, pursuant to the limitations of paragraph (b) of this section; and

(15) Any other information required by the Administrator necessary to supervise the ODA Holder in the performance of its authorized functions.

#### **§ 183.55 Limitations.**

(a) If any change occurs that may affect an ODA Unit's qualifications or ability to perform a function (such as a change in the location of facilities, resources, personnel or the organizational structure), no Unit member may perform that function until the Administrator is notified of the change, and the change is approved and appropriately documented as required by the procedures manual.

(b) No ODA Unit member may issue a certificate, authorization, or other approval until any findings reserved for the Administrator have been made.

(c) An ODA Holder is subject to any other limitations as specified by the Administrator.

#### **§ 183.57 Responsibilities of an ODA Holder.**

The ODA Holder must—

(a) Comply with the procedures contained in its approved procedures manual;

(b) Give ODA Unit members sufficient authority to perform the authorized functions;

(c) Ensure that no conflicting non-ODA Unit duties or other interference

affects the performance of authorized functions by ODA Unit members.

(d) Cooperate with the Administrator in his performance of oversight of the ODA Holder and the ODA Unit.

(e) Notify the Administrator of any change that could affect the ODA Holder's ability to continue to meet the requirements of this part within 48 hours of the change occurring.

#### **§ 183.59 Inspection.**

The Administrator, at any time and for any reason, may inspect an ODA Holder's or applicant's facilities, products, components, parts, appliances, procedures, operations, and records associated with the authorized or requested functions.

#### **§ 183.61 Records and reports.**

(a) Each ODA Holder must ensure that the following records are maintained for the duration of the authorization:

(1) Any records generated and maintained while holding a previous delegation under subpart J or M of part 21, or SFAR 36 of this chapter.

(2) For any approval or certificate issued by an ODA Unit member (except those airworthiness certificates and approvals not issued in support of type design approval projects):

(i) The application and data required to be submitted under this chapter to obtain the certificate or approval; and

(ii) The data and records documenting the ODA Unit member's approval or determination of compliance.

(3) A list of the products, components, parts, or appliances for which ODA Unit members have issued a certificate or approval.

(4) The names, responsibilities, qualifications and example signature of each member of the ODA Unit who performs an authorized function.

(5) A copy of each manual approved or accepted by the ODA Unit, including all historical changes.

(6) Training records for ODA Unit members and ODA administrators.

(7) Any other records specified in the ODA Holder's procedures manual.

(8) The procedures manual required under § 183.53 of this part, including all changes.